

**Statewide Blanket Waiver Pilot
Conditions and Criteria**

Qualifications

A department head must submit a written request to participate in the pilot statewide waiver program to the Division of Human Resources (DHR), which is delegated responsibility for personal services contracts review from the state personnel director, the request must state how the department will comply with all requirements, and it should identify the processes in place to ensure compliance with conditions of this waiver, statutory requirements, and Director's Administrative Procedures.

Departments and institutions of higher education (departments) must have at least one human resources (HR) professional with a certificate in the Personal Services Contracts modules of the Personnel Certificate Program to conduct personal services review. The review shall include most contracts, purchase orders, and solicitations. An HR professional must complete all personal services documents, such as certification forms and pre-approvals. When submitting requests to other central approvers, HR professionals will need to insert the notation, "**Service Waived by DHR**", and initial in the appropriate space on the CLI2 screen print document. The processing of your agreement **may be delayed or rejected** if it is submitted **without** this CLIN notation.

All commitment vouchers issued under this pilot waiver also must comply with State Fiscal Rules, State Procurement Rules, and the Capital Construction Accounting Guidelines. Furthermore, all statutes governing capital construction and all policies issued by the State Controller's Office and State Purchasing concerning the use of purchase orders and contracts must be followed. In addition, all personal services agreements must contain the mandatory *Independent Contractor Clause* specified in the Director's Administrative Procedure P-10-11.

The Department of Personnel and Administration (DPA) will conduct audits to review compliance with this pilot waiver. By law, departments must provide the documentation requested by DPA's representative. Furthermore, DPA reserves the right to terminate a department's agreement to participate in this pilot waiver process for failure to adhere to all conditions and requirements. This waiver is being issued in accordance with CRS 24-50-509 and the Director's Administrative Procedure P-10-6.

Services NOT Waived

Personal services agreements that directly impact the state's personnel system, CRS 24-50-503 and 24-50-504(2)(a), must be forwarded to the Personal Services Contracts Review Program in DHR for review. The HR professional in a department must complete the certification prior to submitting an agreement for review.

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Services Waived

For any contract that meets criteria established under CRS 24-50-504 (2)(b) through 24-50-504(2)(h) or (3), personal services review by DHR is waived provided the department's human resources office certifies the request to ensure compliance with this blanket waiver and personnel procedures.

Agreements that fall under \$5000.00 in aggregate and do not require an encumbrance document as outlined in State Fiscal Rule 2-2, are exempt from personal services review by both DHR and the department's human resources office. If agreements exceed \$5000.00 in aggregate and fall outside the conditions set forth in this pilot waiver, certification is required by the department's human resources office. Services that exceed \$5000.00 in aggregate and fall within the conditions of this pilot waiver are waived by DHR but must be certified by department HR offices.

HR Administrators may issue internal personal services program waivers for services that include: maintenance or services agreements (includes software and equipment); contract modifications including option letters, renewal letters, contract amendments, task orders (provided master contract was reviewed); temporary services for any type of leave; conference accommodations (includes all hotel accommodations and catering), purchased services as defined by Director's Administrative Procedures (those services that have a direct benefit to individual groups or the public at large), Design and Construction Services (as set forth in the State Buildings & Real Estate Programs Waiver), and trash removal services.

Services Requiring Prior-Approval

Written authorization for the following services must be obtained from the appropriate program to utilize an outside vendor **before** entering into a personal services agreement and a copy of the written approval must accompany the request. Please reference the Prior-Approval Checklist for additional services that require prior approval and for program contact information.

Solicitations for services under the pilot waiver still require pre-review or a pre-approval by a department's human resource office. The pre-approval is intended to address any potential problems or impacts on the state personnel system. HR Administrators must issue the pre-approvals utilizing sample language provided by DHR.

Printing/Artwork/Graphic Design/Copying/Microfilm/Imaging & Mail Services: The Division of Central Services within the DPA shall be requested to perform these types of services within the four-county metro area (Adams, Arapahoe, Denver, and Jefferson).

Telecommunications Services:

These services are not available within the state system and are acquired from outside vendors; however, these services must have the approval from the Telecommunications Division within DPA.

Training and Facilitation Services: The Professional Development Center within DHR must approve request for outside training and facilitation related services for state employees.

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Waiver Term

For departments participating in the pilot process, current program waivers are suspended and shall not be used during this process. Upon completion of this pilot period, waivers will be reinstated for a reasonable time period (no more than six months) to allow for analysis of this process and determination of the ongoing process.

This waiver is **valid through October 1, 2004**, and will be reviewed and modified as deemed necessary by the DHR. All documents and a list of participating departments will be available on the DHR website. For additional information please contact Joi E. Simpson, Program Coordinator at joi.simpson@state.co.us.

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